

[Signature]
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peavey, Todd.

Examiner (Anticipated): Serke, Catherine.

Serial No.: 10/634,475

Group Art Unit: 3763

Filed: August 4, 2003

Docket: 760-137 CON

For: VALVE PORT ASSEMBLY WITH
COINCIDENT ENGAGEMENT
MEMBER FOR FLUID TRANSFER
PROCEDURES

Dated: December 30, 2003

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Date: 12/30/03

Signature: mjt/mullin/M.J.Mullin

**PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O OF ITEM(S)
CONSIDERED AS OMITTED BY THE P.T.O.**

**RESPONSE TO NOTICE OF OMITTED ITEMS IN A NON-PROVISIONAL
APPLICATION.**

- 1) This is in response to the "NOTICE OF OMITTED ITEMS", mailed for this application on 11/03/03. A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.
- 2) Applicant asserts that the items indicated as omitted were in fact deposited with the P.T.O with the original application papers filed on August 4, 2003, specifically, Figures 2D and 2E were included on drawing sheet 2/3 along with Figures 2, 2A, 2B and 2C. Figure legends, 2D and 2E were mistakenly cropped during reproduction of sheet 2/3.
- 3) In accordance with the requirements of the Notice of June 5, 1996, 61 Fed. Reg. 30,041 - 30,046, applicant hereby:

01/08/2004 KBETEMA 00000044 10634475

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130.00 OP

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Petitions under 37 section 1.53(e) for a review of the determination that the items in issue were omitted;

Submits the petition fee under 37 section 1.17(i),

Submits the attached evidence of the deposit of the items in issue.

4) Fee Payment

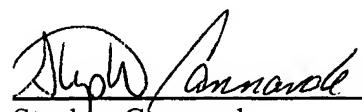
Attached is a check in the amount of \$130.00.

Authorization is hereby made to charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

5) Request for Refund for Petition Fee Under 37 CFR 1.53(e)

It is respectfully requested that, upon grant of the petition under 37 section 1.53(e), the petition fee be refunded by a refund check.

Respectfully submitted,



Stephen Cannavale
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Attorney for Applicants

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